

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

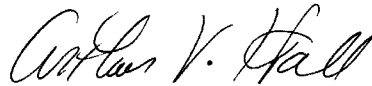
Notice FLP-181

1951-S, 1955-A

For: State and County Offices

**Continuing the State Civil Rights Independent Review Groups
for the Review of Pending Acceleration and Foreclosure Cases**

Approved by: Acting Deputy Administrator for Farm Loan Programs



Note: No accelerations or subsequent actions on foreclosures are to proceed until compliance with this notice is achieved.

1 Overview

**A
Background**

Notice FLP-70, issued on August 11, 1999, continued the process established in Notice FC-150 for State FSA civil rights self-certification by State Civil Rights Independent Review Groups.

**B
Purpose**

This notice:

- obsoletes Notice FLP-70
- continues the processes established in Notice FC-150 of State civil rights self-certification

Note: FSA-581 will no longer be sent to the National Office, unless inconsistencies, discrimination, or inequitable treatment or concerns are identified.

- provides an updated FSA-581, which is available on FSA BBS in the National Forms library.

**C
Contact**

If there are any questions, State Offices shall contact Bruce Mair, LSPMD, at 202-690-4009.

Disposal Date

October 1, 2001

12-28-00

Distribution

State Offices; State Offices relay to County Offices

2 Action

A State Civil Rights Independent Review Group

Each State Office shall continue using the State Civil Rights Independent Review Group to determine whether inconsistencies, discrimination, or inequitable treatment contributed to the failure of the farming operation.

Each member in the group must have an equal voice. The group should consist of the following:

- Food and Agriculture Council (FAC) member or designee
- State Executive Director (SED)
- State Committee (STC) Minority Advisor or STC minority member
- Civil Rights Coordinator
- Farm Loan Chief.

If SED contacts the other USDA FAC members and none wish to participate or designate a member of their staff to participate, SED:

- shall document the contact
- may choose a qualified FSA employee, who lends additional diversity, to be the fifth member of the Review Group.

Note: If a member (other than SED) is unable to participate in a meeting, SED may appoint another individual who adds diversity to the State Civil Rights Independent Review Group to serve during the meeting.

B Farm Loan Manager (FLM) and District Director (DD) Responsibilities

Before referring the account for acceleration according to RD Instruction 1955-A, section 1955.15(c), FLM must comply with:

FmHA Instruction 1951-S, section 1951.907(e)(8) which requires the servicing official to complete FSA-580 and RD-1955-2

- RD Instruction 1955-A, section 1955.15(b).

While completing the review required under RD Instruction 1955-A, section 1955.15(c), DD shall complete FSA-581, Part A. If the account qualifies for acceleration, FSA-581 will be forwarded to the State Office along with FSA-580, which was previously completed by FLM.

Continued on the next page

2 Action (Continued)

C

**State Review
Procedure**

The State Civil Rights Independent Review Group shall:

- review FSA-580 and FSA-581, Part A
- complete FSA-581, Part B.

FSA-581 must be signed by at least 4 members of the Review Group to show that no evidence of inconsistencies, inequitable treatment, or discrimination complaints, written or oral, exist and the borrower has received all applicable primary loan servicing options before proceeding with acceleration or foreclosure.

After members of the State Civil Rights Independent Review Group sign FSA-581, the State Office will keep a copy and the original will be returned to DD. If no inconsistencies, inequitable treatment, or discrimination was identified, DD may approve the acceleration.

If inconsistencies, inequitable treatment, or discrimination is found, State Offices must immediately contact Director, CR&SBUS at either of the following:

- 202-401-7220
 - 202-401-7100 (FAX).
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